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TIMOTHY B. FLEMING
OF COUNSEL

November 3, 2016

The Honorable George B. Daniels
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1310
New York, NY 10007

**VIA ECF
AND
FEDERAL EXPRESS**

**Re: *In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570
Hoglan, et al. v. Islamic Republic of Iran, et al., 1:11-cv-7550*
Request for Extension of Time to File Objections (Shefi and Rowe families)**

Dear Judge Daniels:

On October 24, 2016, Magistrate Judge Sarah Netburn issued a Report and Recommendation regarding the claims for the economic losses and pain and suffering damages of the Estates of Hagay Shefi and Nicholas Rowe, as well as nine solatium damages claims made by non-citizen immediate family members derived from Shefi and Rowe's deaths on September 11, 2001. The Report recommended denial of all of these claims. Any objections would be due to be filed by November 7, 2016. The Report and Recommendation notes that the Plaintiffs may file with the Court a request for an extension of time for filing objections. Report and Recommendation dated October 24, 2016, p. 15 (Notice and Procedure for Filing Objections to this Report and Recommendation).

The issues involved in the objections to the Magistrate Judge's denial of these claims involve complex legal analysis that is quite different from the considerations underlying all the other claims in this case because of the non-U.S. citizenship of these Plaintiffs. The Plaintiffs' legal theory was advanced in the original damages inquest submission; nevertheless, formulation of the objections in light of the Magistrate Judge's recommendation will take some time, which counsel has been unable to devote since the Report and Recommendation was issued.

As referenced in several other recent filings in this case, Plaintiffs' counsel is engaged in a time-consuming and immediate endeavor on behalf of Plaintiffs in this case who recently obtained final judgments, specifically preparing claims for filing with the United States Victims of State Sponsored Terrorism Fund ("VSST"). This work proceeds at present and counsel is fully engaged with this urgent work. Additionally, immediately following the filing of these claims, the principal counsel involved in developing the legal theory in question is scheduled to embark upon a long-scheduled journey that will last several weeks, until at least the Thanksgiving holiday.

Accordingly, Plaintiffs move the Court for an extension of time to file objections to the Magistrate Judge's denial of the claims of the Estates of Hagay Shefi and Nicholas Rowe, and the nine solatium damages claims made by non-citizen immediate family members derived from Shefi and Rowe's deaths on September 11, 2001, until December 16, 2016, or until such other time as the Court deems appropriate.

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This is the first request for an extension of time in this matter. No other deadlines are affected. Many of the other issues involved in the Magistrate Judge's denial of claims of family members in another Report and Recommendation have already been deferred for briefing after the holidays, *i.e.*, to mid-January, 2017. No defendant has appeared in this case; hence, no consultation has occurred.

A proposed order is being filed herewith.

Date: November 3, 2016

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Timothy B. Fleming", written over a light blue horizontal line.

Timothy B. Fleming
Attorney for the *Hoglan* Plaintiffs

cc: All counsel of record via ECF